

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 3, 2003**

**E033313 In re Chaunce M., a Person Coming Under the Juvenile Court Law.
People v. Chaunce M.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., McKinster, J.

E031966 Golden Eagle Insurance Company v. Century Surety Company
Respondent's petition for rehearing denied.

E032843 Osca Development Company v. Ronald W. Blehm et al.
Respondents Cottom petition for rehearing denied.

E033358 People v. Donald A. Gratiano Opinion
Judgment modified and affirmed.
Hollenhorst, Acting P.J.
We concur: Ward, J., King, J.

E032825 People v. Antonio O. Castillo Opinion
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: Ward, J., King, J.

E031885 People v. Robert Veliz Opinion
Judgment affirmed with directions.
King, J.
We concur: Hollenhorst, Acting P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 4, 2003**

- E031426* The People v. American Contractors Indemnity Company**
No change in Judgment. Modification of
Opinion
Petition for rehearing denied.
King, J.,
We concur: Richli, Acting P.J., Gaut, J.
*Certified for Publication
- E033224 In re Angela S., a Person Coming Under the Juvenile Court Law;
Department of Public Social Services v. Michael S.**
Opinion
Judgment affirmed.
McKinster, Acting P.J.
We concur: Richli, J., Gaut, J.
- E032265 People v. Ronnie Steven Martin**
Opinion
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., McKinster, J.
- E031505 Patrick Media Group, Inc. v. City of Riverside**
Opinion
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Gaut, J.
- E034111 People v. Kenneth M. Lancaster**
Opinion
Judgment remanded with directions.
Hollenhorst, Acting P.J.
We concur: Ward, J., King, J.

E032936 Geraint Wilkes et al. v. Welsh National Gymanfa Ganu et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

276

E033089 People v. Rudolph Ronnie Moore

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Ward, J., King, J.

E032529 People v. David Vincent Galaviz

Opinion

Judgment modified and affirmed with directions.

Hollenhorst, Acting P.J.

We concur: Ward, J., King, J.

E033539 People v. Wendy Lanette Baisey

Opinion

Judgment modified and affirmed with directions.

Hollenhorst, Acting P.J.

We concur: Ward, J., King, J.

Court convened at 8:30am

Panel 1

Present:

Hollenhorst, Acting P.J.

McKinster, J.

Richli, J.

Paula Garcia, Deputy Clerk

E032345 People v. Abdolvahab Steven Pirnia

Merits. Cause called and Keith Frank Vickers, Esq., argued for appellant; Lilia E. Garcia, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a

Present:

Hollenhorst, Acting P.J.
McKinster, J.
Ward, J.
Paula Garcia, Deputy Clerk

E031786 People v. Otis Lee Rodgers

Merits. Cause called and Mark S. Devore, Esq., argued for appellant; Douglas P. Danzig, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

277

Court reconvened.

Panel 1b
Present:
Ramirez, P.J.
Hollenhorst, J.
Richli, J.
Paula Garcia, Deputy Clerk

E032611 People v. Enrique Ortega

Merits. Cause called and Stephen S. Buckley, Esq., argued for appellant; Daniel Rogers, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1c
Present:
Hollenhorst, Acting P.J.
McKinster, J.
Gaut, J.
Paula Garcia, Deputy Clerk

E031553* People v. Kenneth Wayne Self

E033364* In re Self on Habeas Corpus

Merits. Cause called and Gregory Marshall, Esq., argued for appellant; Daniel Rogers, Deputy Attorney General, argued for respondent. Cause submitted.

*Consolidated.

**E032140 Conservatorship of the Person of Clifford B. Hughes;
Sherri Kastilahn v. Jean Hughes et al.**

Merits. Cause called and Sherri L. Kastilahn argued as appellant in pro per; Richard W. Miller, Esq., argued for respondents, Clifford B. Hughes and Jean L. Hughes;

Debra Kastilahn-Futryk argued as respondent in pro per; Mark Kastilahn argued as respondent in pro per; Dennis M. Futryk argued as respondent in pro per . Cause submitted.

E031591 Kay Neshat v. County of San Bernardino et al.

Merits. Cause called and Stephen Miller, Esq., argued for appellant, Michael J. Kennedy; Dennis E. Wagner, Deputy County Counsel, argued for appellant, County of San Bernardino; Michael L. Goldberg, Esq., argued for respondent. Cause submitted.

Court recessed.

278

Court reconvened at 1:30pm

Panel 2

Present:

McKinster, Acting P.J.

Gaut, J.

King, J.

Elizabeth Ceballos, Deputy Clerk

E033303 TCM Corporation v. Superior Court; Robert Marquez

Merits. Cause called and George Pisano, Esq., argued for petitioner; no appearance made for real party in interest, Itochu Corporation; Federico C. Sayre, Esq., argued for real party in interest, Robert Marquez. Cause submitted.

Court recessed.

Court reconvened.

Panel 2a

Present:

Ward, Acting P.J.

Gaut, J.

King, J.

Elizabeth Ceballos, Deputy Clerk

E031783 People v. Abdul Malik Rasheed

Merits. Cause called and Janice R. Mazur, Esq., argued for appellant; Karl T. Terp, Deputy Attorney General, argued for respondent. Cause submitted.

E030762 People v. Robert Grant

Merits. Cause called and Patricia Ihara, Esq., argued for appellant; Karl T. Terp, Deputy Attorney General, argued for respondent. Cause submitted.

**E032204 In re Alexandria M., a Person Coming Under the Juvenile Court Law
Department of Children's Services v. Robert M. et al.**

Merits. Cause called and Konrad S. Lee, Esq., argued for appellant, Robert M.; Kathleen M. Mallinger, Esq., argued for appellant, Dena M.; Kate M. Chandler, Esq., argued for appellant Robert M., Jr.; Harry Zimmerman, Esq., argued for minor; Jacqueline Carey-Wilson, Deputy County Counsel, argued for respondent. Cause submitted.

Court adjourned.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 5, 2003**

Court convened at 8:30am

Panel 3

Present:

McKinster, Acting P.J.

Ward, J.

King, J.

Ann Dee Smith, Deputy Clerk

E032598 White Cap Industries, Inc. v. University Village, LLC et al.

Merits. Cause called and F. Glenn Nichols, Esq., argued for appellants; William D. Schuster, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 3a

Present:

McKinster, Acting P.J.

Richli, J.

Ward, J.

Ann Dee Smith, Deputy Clerk

E032511 Nancy L. Steinberg v. Aldo Abatecola

Merits. Cause called and no appearance by appellant in pro per; Nancy L. Steinberg, argued as respondent in pro per. Cause submitted.

E031846 Omnitrans v. Penn Octane Corporation et al.

Merits. Cause called and Eugene F. McMenamin, Esq., argued for appellant; Nancy A. Huneke, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened.

280

Panel 3b
Present:
Ramirez, P.J.
Richli, J.
Ward, J.
Ann Dee Smith, Deputy Clerk

E032342 Keri Wall v. Christopher Alexander

Merits. Cause called and Donna Bader, Esq., argued for appellant; Tom M. Allen, Esq., argued for respondent. Cause submitted.

E032746 Timothy Wade et al. v. City of Blythe

Merits. Cause called and Gregory P. Palmer, Esq., argued for appellant; Robert W. Krause, Esq., argued for respondents. Cause submitted.

E030977 Randall J. Lopez et al. v. Wendy Rashidi et al.

Merits. Cause called and Kimberly Hall Barlow, Esq., argued for appellants; Deborah Tropp, Esq., argued for respondents. Cause submitted.

**E032068 In re Brandon A., A Minor
J.C. v. E.A.**

Merits. Cause called and Khymberli S. Apaloo, Esq., argued for appellant; Joseph T. Tavano, Esq., argued for respondent; Kathleen M. Mallinger, Esq., argued for minor. Cause submitted.

E033119 James Kim v. Chino Community Hospital Corp., Inc. et al.

Merits. Cause called and Robert Cohen, Esq., argued for appellant; Jill M. Houlahan, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 4
Present:
Hollenhorst, Acting P.J.
Ward, J.
Gaut, J.
Steve McElroy, Deputy Clerk

E032367 Edwin L. Evans et al. v. B.J.B. etc. et al.

Merits. Cause called and Steven M. Kennedy, Esq., argued for appellants; Michael R. Schaefer, Esq., argued for respondent. Cause submitted.

Court recessed.

281

Court reconvened.

Panel 4a

Present:

Hollenhorst, Acting P.J.

Gaut, J.

King, J.

Steve McElroy, Deputy Clerk

E032061 Jeanette Scuzzaro v. Loma Linda University Medical Ctr et al

Merits. Cause called and Donna Bader, Esq., argued for appellant; Christopher Cannon, Esq., argued for respondent. Cause submitted.

E032124 Stefan E. Froelich v. Caroline F. Froelich

Merits. Cause called and Alexandra S. Ward, Esq., argued for appellant; Lewis F. Jacobsen, Esq., argued for respondent. Cause submitted.

E033122 Robert Callan v. Department of Motor Vehicles

Merits. Cause called and Kathryn M. Megli, Deputy Attorney General, argued for appellant; J. Spencer Wagstaff, Esq., argued for respondent. Cause submitted.

E032427 Maxine G. Bitters v. Jonathan G. Rutledge et al.

Merits. Cause called and Dabney B. Finch, Esq., argued for appellant; no appearance for respondents. Cause submitted.

E032819 Alcoa, Inc., v. California Cartage Company, Inc.

Merits. Cause called and Charles Robert Messer, Esq., argued for appellant; Joseph Cho, Esq., argued for respondent. Cause submitted.

E033043 Gary Ozenne v. Chase Manhattan Bank et al.

Merits. Cause called and Louis G. Bruno, Esq., argued for appellant; Raquel Vallejo, Esq., argued for respondent, Ameriquet Mortgage Co.; Jeff S. Allison, Esq., argued for respondent Ocwen Federal Bank and Chase Manhattan Bank. Cause submitted.

Court adjourned.

**E032547 In re Daniel C., a Person Coming Under Juvenile Court Law.
People v. Daniel C.**

Opinion

Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Ward, J.

282

E033032 People v. Thomas Irvin Brown III

Opinion

Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 6, 2003**

E032037* People v. John Anthony Morales Modification of Opinion

No change in judgment.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

***Certified for Partial Publication**

E032598 White Cap Industries, Inc. v. University Village, LLC et al.

Opinion

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Ward, J.

E032345* People v. Abdolvahab Steven Pirnia Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

***Certified for Publication.**

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 7, 2003**

**E033249 In re S.S., a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. L.S.**

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Richli, J.

E033171 Infinity v. William Llorens

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., McKinster, J.

E033122 Robert Callan v. Department of Motor Vehicles

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

E033752 Gary Barrett et al. v. County of San Bernardino et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Richli, Acting P.J., King, J.

E031343 People v. Jesse David Douglas et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 10, 2003**

No Minutes for November 10, 2003.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 11, 2003**

Holiday.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 12, 2003**

E033873 People v. Jaron O. Brown

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

E033544 People v. Surcie D. Jackson

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

E032807 People v. Donald Williams

Opinion

Judgment affirmed.

King, J.

We concur: Ramirez, P.J., Gaut, J.

E032242 People v. Edward John Ingram

Modification of

Opinion

No change in judgment

Denial of petition for rehearing.

McKinster, J.

We concur: Ramirez, P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 13, 2003**

E031591 Kay Neshat v. County of San Bernardino et al.

Opinion

Judgment reversed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E032545* People v. Carlos Sanchez

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

***Certified for Publication.**

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 14, 2003**

E033043 Gary Ozenne v. Chase Manhattan Bank et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., King, J.

**E032061 Jeanette Scuzzaro v. Loma Linda University Medical
Center et al**

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 17, 2003**

**E032367 Edwin L. Evans et al. v. B.J.B. A California Limited
Partnership et al.**

Opinion

Judgment affirmed.

Ward, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E032427 Maxine G. Bitters v. Jonathan G. Rutledge et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., King, J.

**E032124 Estate of Wolfgang Andreas Forelich, Deceased.
Stefan E. Froelich v. Caroline F. Froelich**

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

**E032204 In re Alexandria M., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Robert M. et al.**

Opinion

Judgment reversed.

Gaut, J.

We concur: Ward, Acting P.J., King, J.

E033037 Stubblefield Properties v. Stephanie Rodriguez

Opinion

Judgment affirmed.

Richli, Acting P.J.

We concur: Gaut, J., King, J.

**E032891 Department of Fair Employment & Housing v. County of
San Bernardino Sheriff's Department**

Opinion

Judgment affirmed.
Ward, J.
We concur: Ramirez, P.J., Gaut, J.

289

E032819 Alcoa, Inc., v. California Cartage Company, Inc.

Opinion

Judgment affirmed.
Gaut, J.
We concur: Hollenhorst, Acting P.J., King, J.

E032746 Timothy Wade et al. v. City of Blythe

Opinion

Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 18, 2003**

E031846 Omnitrans v. Penn Octane Corporation et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: McKinster, Acting P.J., Richli, J.

E032592 People v. Ronnie Jake

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E032068 Adoption of B.A., a minor; J.C. v. E.A.

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.

**E033538 In re Juan B., a Person Coming Under the Juvenile Court Law.
People v. Juan B.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E033443 People v. Martin A. Fernandez

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E032342 Keri Wall v. Christopher Alexander

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 19, 2003**

E032757 People v. David Charles Patkins

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E032477 People v. Jerhaun Hookfin

Opinion

Judgment affirmed in part, reversed in part, and remanded for resentencing.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

E032767 People v. Ben Gia Wong

Opinion

Judgment affirmed in part with directions; reversed in part.

Gaut, J.

We concur: Ramirez, P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 20, 2003**

E032611 People v. Enrique Ortega

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E033340 In re Jesse R., a Person Coming Under the Juvenile Court Law
People v. Jesse R.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Gaut, J.

E033119 James Kim v. Columbia Health Care, Inc. et al.

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.

**E033010 In re the Marriage of Sandra and Steven P. Gorman
Sandra L. Gorman v. Steven P. Gorman**

Opinion

Judgment reversed.

Richli, Acting P.J.

We concur: Gaut, J., King, J.

E030762* People v. Robert Lavelle Grant

Opinion

Judgment reversed.

King, J.

We concur: Ward, Acting P.J., Gaut, J.

*CERTIFIED FOR PUBLICATION

E033253 People v. Michael Kennedy, Jr.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

293

E032993 Joe Goldwine et al. v. Better Business Bureau

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 21, 2003**

E033593 David Goad v. Sue Ervin et al.

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., McKinster, J.

E033642 People v. Richard Olugboyega Adejuyigbe

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Gaut, J., King, J.

E032511 Nancy L. Steinberg v. Aldo Abatecola

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

**E032859 Jeannie L. Reeves etc., et al. v. Championship Auto
Racing Teams, Inc. et al.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., McKinster, J.

**E032140 Conservatorship of the Person and Estate of Clifford H.
Sherri K. v. Jean H. et al.**

Opinion

Dismissed in part and affirmed in part.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E032951 In re Joshua W., a Person Coming Under the Juvenile Court Law.

People v. Joshua W.

Opinion

Judgment affirmed as modified.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

295

**E033000 Allesandro Plaza T.H. & N.S. Chow Limited Partnership v.
Ray Chakmakchi; Moreno Valley Fun Bowl, Inc.**

Opinion

Affirmed as modified.

Ramirez, P.J.

We concur: Hollenhorst, J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 24, 2003**

E032735 People v. Dwayne Austin

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

E033685 People v. Michael Anthony Zamora

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

E033684 People v. Perren N. Johnson

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Ward, J.

E033694 People v. Ellis R. Barnes

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Ward, J.

E031553 People v. Kenneth Wayne Self

Opinion

Judgment affirmed.

E033364* In re Kenneth Wayne Self on Habeas Corpus

Petition denied.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

*Considered with appeal

E033847 People v. Marlin Terrell Macon

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

297

E033717 People v. Cheryl Anne Halvin

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

E031786 People v. Otis Lee Rodgers

Opinion

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E033334 People v. Michael Davis

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 25, 2003**

**E032908 In re Tyana R., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Tyrone R. et al.**

Pursuant to California Rules of Court, rule 23, submission of the above matter is hereby vacated and the cause resubmitted as of this date.

**E032388 People v. Jesus Cedenio Curiel Modification of
Opinion**

Petition for rehearing denied. Footnote 5 on page 10 of opinion filed October 29, 2003, is modified.
Richli, J.
We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 26, 2003**

E033473 Charles Wideen v. City of Fontana et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Richli, Acting P.J., King, J.

E032689 People v. Leo Chavez

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 27, 2003**

Holiday.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
November 28, 2003**

Holiday.